

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

CAROL RODGERS,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 07 C 6262
	)	
McDONALD'S CORPORATION,	)	
	)	
Defendant.	)	

MEMORANDUM ORDER

Counsel for McDonald's Corporation ("McDonald's") has filed its Answer to the Title VII Complaint brought against it by its ex-employee Carol Rodgers. This memorandum order is issued sua sponte because McDonald's counsel has erred in one respect in that responsive pleading.

Answer ¶¶4, 8 and 15 adhere faithfully to what the second sentence of Fed. R. Civ. P. ("Rule") 8(b) requires for a defendant to get the benefit of a deemed denial of a plaintiff's allegation. But having done so, those paragraphs go on to state as to those allegations "and therefore denies them." That is oxymoronic---how can a party that asserts (presumably in good faith) that it lacks even enough information to form a belief as to the truth of an allegation then proceed to deny it in the same objective good faith that is required by Rule 11(b)? Accordingly the quoted phrase is stricken from each of those paragraphs of the Answer.

In all other respects the responsive pleading will stand.

Absent any matters that may require consideration in the interim, the previously-set status hearing date of March 26, 2008 will be the next occasion for action in this case.

A handwritten signature in black ink, reading "Milton I. Shadur". The signature is written in a cursive, flowing style.

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Milton I. Shadur  
Senior United States District Judge

Date: January 25, 2008